COMMONWEALTH OF KENTUCKY

BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

THE APPLICATION OF MILFORD WATER)
COMPANY, INC. FOR A PERMANENT)
DEVIATION FROM THE REQUIREMENTS) CASE NO. 89-074
OF 807 KAR 5:066, SECTION 5(4),)
REGARDING WATER STORAGE)

O R D E R

By letter received March 22, 1989, Milford Water Company, Inc. ("Milford Water") requested a permanent deviation from 807 KAR 5:066, Section 5(4), which requires a utility to provide water storage to ensure a minimum of 1 day's supply of its average daily water usage. Milford Water was granted a limited deviation in Case No. 10203[1] on May 12, 1988.

The Commission, having reviewed the evidence of record and being advised, is of the opinion and finds that:

1. Milford Water filed a letter written by Richmond Utilities and addressed to Milford Water, which states that Richmond Utilities recognizes that it is the sole supply and storage entity for Milford Water.

2. Milford Water should file with the Commission a written agreement between Richmond Utilities and Milford Water that states
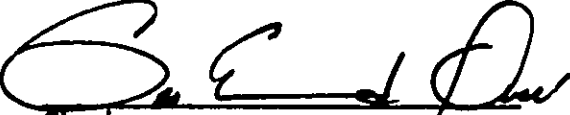
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[1] Case No. 10203, The Application of Milford Water Company, Inc., for a Deviation from the Minimum Water Storage Requirement of 807 KAR 5:066, Section 5(4).

a firm commitment from Richmond Utilities to provide the daily demand of Milford Water during emergency and that Milford Water shall be treated as any customer of Richmond Utilities during emergency conditions. Such an agreement should be filed with the Commission no later than May 12, 1989.
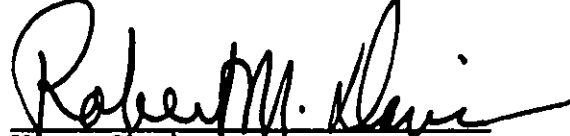
IT IS THEREFORE ORDERED that Milford Water be and hereby is granted a deviation from the water storage requirement of 807 KAR 5:066, Section 5(4) contingent upon its filing with the Commission a firm agreement with Richmond Utilities as outlined in Finding 2 on or before May 12, 1989. In the event no such agreement is filed, Milford Water shall comply with the Commission's Order entered in Case No. 10203.

Done at Frankfort, Kentucky, this 2nd day of May, 1989.

PUBLIC SERVICE COMMISSION

Chairman

Vice Chairman

Commissioner

ATTEST:

Executive Director